

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

_____	)	
SYNOPSYS, INC.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
MAGMA DESIGN AUTOMATION,	)	
	)	
Defendant.	)	
_____	)	C.A. No. 05-701 (GMS)
	)	
MAGMA DESIGN AUTOMATION,	)	
	)	
Counter Claimant,	)	
	)	
v.	)	
	)	
SYNOPSYS, INC.,	)	
	)	
Counter Defendant.	)	
_____	)	

**ORDER**

WHEREAS, on December 12, 2006, the court held a discovery teleconference with the parties, during which the parties raised several issues, including: (1) Magma Design Automation's ("Magma") production of source code; (2) Depositions of Roy Jewell and Rajeev Madhavan; (3) Magma's contentions regarding its counterclaims, specifically its amended response to Interrogatory No. 20, identification of relevant customers, new antitrust allegations, and infringement contentions; (4) the parties' continuing production of responsive documents; (5) the plaintiff's designation of an expert from a firm retained by the defendant; and (6) production of emails in native file format;

WHEREAS, during the course of the teleconference, the court resolved some issues and directed the parties to meet and confer regarding other issues;

WHEREAS, the court directed the plaintiff to initiate another teleconference, on Friday, January 12, 2006, at 10:00 a.m., to determine the status of the discovery issues for which the parties were to meet and confer;

WHEREAS, the court also advised the parties that it “want[ed] to hear [from them] right away” if they could not come to an agreement regarding *the source code for the Talus modules* at issue;<sup>1</sup>

WHEREAS, on December 28, 2006, counsel for Synopsys, Inc. (“Synopsys”), called the court to request a fifth discovery teleconference and advised that the court indicated counsel should alert it as soon as possible if there were further discovery issues that needed to be resolved;

WHEREAS, the court scheduled a discovery teleconference for Thursday, January 4, 2006, at 11:00 a.m.;

WHEREAS, on January 2, 2007, the court received the parties’ joint letter regarding the discovery dispute;

WHEREAS, the parties raise eight disputed issues in the letter;<sup>2</sup>

WHEREAS, the court believed its instructions on December 12, 2006 to be clear in that the parties should only contact the court for a discovery teleconference regarding the Talus module

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<sup>1</sup> See Transcript of December 12, 2006 Telephone Conference (“Tr.”) at 13-14.

<sup>2</sup> Indeed, one of the disputed issues raised in the January 2, 2007 letter is the production of Synopsys’ emails in native or text format. During the December 12, 2006 teleconference, however, the court advised the parties that it would not micromanage this dispute and told the parties that it “*really* [doesn’t] want to hear about this one [the email issue] again.” Tr. at 51 (emphasis added).

source code, and should wait to discuss all other outstanding issues until the January 12, 2006 discovery status teleconference; and

WHEREAS, the court concludes that the parties should continue to meet and confer to try to resolve as many of the seven remaining discovery issues as possible before the January 12, 2007 teleconference;

IT IS HEREBY ORDERED that:

1. The parties shall be prepared to discuss only issues pertaining to the Talus module source code during the January 4, 2006 teleconference;
2. All other discovery issues shall be presented to the court during the previously scheduled January 12, 2006 discovery status teleconference.

Dated: January 3, 2007

/s/ Gregory M. Sleet  
UNITED STATES DISTRICT JUDGE